

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CAUSE NO. 1:22-cr-00142-JRS-KMB
	)	
KENNETH M. ADDISON,	)	-01
	)	
	)	
Defendants.	)	

**MOTION FOR FINAL ORDER OF FORFEITURE**

The United States of America, by counsel, Zachary A. Myers, United States Attorney for the Southern District of Indiana, and Kelly Rota, Assistant United States Attorney, respectfully moves for a Final Order of Forfeiture in the above cause of action, and in support thereof presents to the Court the following facts:

1. On April 21, 2023, this Court entered a Preliminary Order of Forfeiture against the Defendant, Kenneth M. Addison, forfeiting his interest in the Subject Property seized from him in connection with his conviction on charges of Felon In Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(Count One); and Possession with Intent to Distribute Marijuana, in violation of 18 U.S.C. § 841(a)(Count Two) and Accessory After the Fact, in violation of 18 U.S.C. § 3(Count One), and Obstruction of Justice, in violation of 18 U.S.C. § 1505(Count Two) [Cause Number 1:22-cr-000242-JRS-KMB]. (Dkt. 33). The Subject Property preliminarily forfeited is identified in the Preliminary Order of Forfeiture as follows:

- Real property, located at 15 North Creedmore Way, Anderson, Indiana, 46011. Parcel Numbers: 48-11-09-200-095.000-003; 48-11-09-200- 094.000-003 and 48-11-09-200-096.000-003 (Asset Identification Number: 20-FBI-007692);
- 2017 Lowe Pontoon Boat SF Series SF212 and 2017 Karavan Pontoon trailer. (Asset Identification Number: 20-FBI-007694);
- \$17,042.00 United States Currency;
- \$25,134.00 United States Currency; and
- \$1,793.00 United States Currency; (Collectively, Asset Identification Number 22-FBI-007909); and

Firearms:

- M&P, Bodyguard, 3S0-caliber, obliterated serial number;
- New England Firearms, Pardner Pump, 12- gauge, SN: W507226;
- New Taurus, PT 1911, .45 caliber, SN: NGW84836;
- LWRC Rifle, unknown model, 5.56 caliber, SN: 4-22336; and
- Ammunition. (Collectively, Asset Identification Number 22-FBI-007908).

(Subject Property)

2. Pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States posted notice of the order of forfeiture on the official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), for thirty consecutive days from June 3, 2023, to and including July 2, 2023, and from August 2, 2023, to and including August 31, 2023. *See* Attachment 1, Declarations of Publication; see also Fed. R. Crim. P. 32.2(b)(6) (incorporating Rule G(4)).

3. Written notice was sent to Christopher Juroff on June 7, 2023, by first class and certified mail to 3206 E. Jackson Blvd., Elkhart, Indiana 46516. *See* Rule G(4)(b)(iii)(B). The return receipt green card shows that the notice sent to Christopher Juroff was received and signed for by Christopher Juroff. *See* Attachment 2, C. Juroff Notice.

4. Written notice was sent to David Golden on June 7, 2023, by first class and certified mail to 1515 E. Bradbury Ave., Indianapolis, Indiana 46203. *See* Rule G(4)(b)(iii)(B). The notice sent to David Golden was returned to sender “Moved Left no Address, Unable to Forward”. *See* Attachment 3, D. Golden Notice.

5. Written notice was sent to Kevin Hayes on June 7, 2023, by first class and certified mail to 253 Appling St., #31313, Hinesville, Georgia 31313. *See* Rule G(4)(b)(iii)(B). The return receipt green card shows that the notice sent to Kevin Hayes was received and signed for by Beth Hayes. *See* Attachment 4, K. Hayes Notice.

6. Written notice was sent to Estate of Herman Wayne Hawkins on June 7, 2023, by first class and certified mail to 4415 E 900 N, Kirklin, Indiana 46050. *See* Rule G(4)(b)(iii)(B). The United States Postal Tracking shows that the notice sent to Estate of Herman Wayne Hawkins was received on June 8, 2023. *See* Attachment 5, Estate of HW Hawkins Notice.

7. Written notice was sent to Connor Gaskill on June 7, 2023, by first class and certified mail to 120 E. Michelle Ln., Pendleton, Indiana 46064. *See* Rule G(4)(b)(iii)(B). The United States Postal Tracking shows that the notice sent to Connor Gaskill was delivered. *See* Attachment 6, C. Gaskill Notice.

8. Defendant Addison filed a motion to enforce his plea agreement, essentially contesting forfeiture of the real property, located at 15 North Creedmore Way, Anderson, Indiana, 46011. (Parcel Numbers: 48-11-09-200-095.000-003; 48-11-09-200-094.000-003 and 48-11-09-200-096.000-003). (Asset Identification Number: 20-FBI-007692). (Dkt. 34.) That motion was denied. (Dkt. 62). However, this property is the subject of a pending tax sale in Madison County, Indiana, under Cause No. 48-C03-2311-TP-000561. The United States will

not seek a final order of forfeiture as to this property at this time and will update the Court when the Madison County case is resolved.

9. No other persons or entities have made any claim to, or declared any interest in, any of the Subject Property as provided in 21 U.S.C. § 853(n), and the time for filing a claim has expired.

WHEREFORE, the United States moves for a Final Order of Forfeiture, amending the Preliminary Order of Forfeiture by declaring that in addition to the Defendant's interest in the Subject Property, with the exception of the real property, (Asset Identification Number: 20-FBI-007692), the interests of any and all potential third-party claimants, including Christopher Juroff, David Golder, Kevin Hayes, Estate of Herman Wayne Hawkins, and Connor Gaskill are also forfeited to the United States, and declaring that all right, title and interest in the Subject Property vested in the United States upon the commission of the criminal act giving rise to the forfeiture, and directing the United States to dispose of the Subject Property according to law.

Respectfully submitted,

ZACHARY A. MYERS  
United States Attorney

By: s/ Kelly Rota  
Kelly Rota  
Assistant United States Attorney  
Office of the United States Attorney  
10 W. Market St., Suite 2100  
Indianapolis, IN 46204-3048  
Telephone: (317) 226-6333  
Fax: (317) 226-6125  
Email: [kelly.rota@usdoj.gov](mailto:kelly.rota@usdoj.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that on January 30, 2023, a copy of the foregoing Motion for Final Order of Forfeiture was filed electronically. Service of this filing will be made all ECF-registered counsel by operation of the court's electronic filing system. Parties may access this filing through the court's system.

*s/ Kelly Rota*

Assistant United States Attorney  
Office of the United States Attorney  
10 W. Market St., Suite 2100  
Indianapolis, IN 46204-3048  
Telephone: (317) 226-6333  
Fax: (317) 226-6125  
Email: [kelly.rota@usdoj.gov](mailto:kelly.rota@usdoj.gov)